

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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CARL GUST, REINALDO OFARRILL,  
JARROD PADDOCK, and  
CHRISTOPHER SHREEVES,

Plaintiffs,

Case No. 14-cv-15-JPS

v.

Hon. Judge J.P. Stadtmueller

DURGA MANAGEMENT LLC, d/b/a  
Rodeway Inn and Suites and Quality  
Suites, a Wisconsin Corporation,  
SIDHIVINAYAK, LLC, a Wisconsin  
Corporation, HETAL PATEL, and  
MAGAN PATEL,

Defendants.

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**JOINT RULE 26 PLAN**

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Pursuant to Federal Rule of Civil Procedure 26(f), and Notice of Hearing dated February 18, 2014, the parties, by and through their legal counsel, hereby submit the following Joint Rule 26 Plan.

**1. The names of each attorney appearing in the case, firm name, address, and telephone number of each, designating the party represented is set forth below.**

Attorneys for Plaintiffs	Attorneys for Defendants
Nola J. Hitchcock Cross	Christopher J. Johnson
Janice M. Pintar	Lindsey A. Larson
Katherine Gaumond	<b>BECK, CHAET, BAMBERGER &amp; POLSKY</b>
Danielle Bailey	Two Plaza East, Suite 1085
<b>CROSS LAW FIRM, S.C.</b>	330 East Kilbourn Avenue
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Milwaukee, WI 53233	Phone: (414) 273-4200
Phone: (414) 224-0000	

**2. A description of the nature of the case and defenses thereto.**

This is a civil action alleging wage and hour violations to the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. §§ 201 *et seq.*, as well as Wisconsin’s state minimum wage and overtime laws pursuant to Sections 104.001 *et seq.* and 109.01 *et seq.* of the Wisconsin Statutes, and Wisconsin Administrative Code Sections DWD 272.001 *et. seq.* and 274.01 *et. seq.* (“Wisconsin Wage Payment Laws”) for unpaid agreed upon wages, unpaid minimum wages, unpaid overtime wages and lost wages. Defendants have asserted a number of defenses in this case and have denied that Plaintiffs are entitled to any relief.

**3. Whether the pleadings will be amended to join parties or for other reasons.**

No party contemplates an additional amendment to the pleadings at this time but the parties request that pleadings may be amended without leave of court until **March 31, 2014**.

**4. Pre-discovery disclosures.**

The parties agree to exchange Rule 26(a) disclosures on or before **March 31, 2014**.

**5. ESI discovery.**

The parties anticipate discovery of electronically-stored information. At this time the parties do not anticipate the need for a special master with regard to any special issues related to the disclosure or discovery of electronic information, but will promptly address any issues that do arise during the course of discovery. The parties agree that e-mail messages and other electronic documents stored on Defendant’s servers are reasonably accessible. The parties agree that they will discuss the burdens and expense of discovery of electronically stored information if either party, in good faith, believes a discovery request to be unreasonably burdensome. The parties agree that the format for the production of electronically stored information will be a

searchable PDF file(s). The parties agree that documents will be produced without any intent to waive privilege or work product protections; if a privileged document is inadvertently produced, upon notice and request, the producing party must return the document and not use it in litigation. The party who returns the document can challenge the producing party's designation of the document as privileged.

**6. Dispositive motion deadline.**

The parties agree to file dispositive motions on or before **October 17, 2014**.

**7. Trial deadline.**

The parties propose the case be scheduled for trial no earlier than **January 1, 2015**.

**8. Other orders.**

The parties do not believe that any other orders under Fed. R. Civ. P. 26 (c) or 16(b) and (c) need to be entered by the court at this time.

Respectfully submitted this 10th day of March, 2014.

For Plaintiffs:

s/Janice M. Pintar

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For Defendants:

s/ Christopher J. Johnson

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